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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

THOMAS E. PEREZ, Secretary of Labor
United States Department of Labor
Plaintiff

v.

DALLAS-FORT WORTH DOMICILE,
ALLIED PILOTS ASSOCIATION,
and
ALLIED PILOTS ASSOCIATION,
NATIONAL HEADQUARTERS,
DEFENDANTS

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Civil Action No. 4:14-CV-997-O

DEFENDANT’S OBJECTION TO AGREED MOTION FOR ENTRY OF CONSENT
DECREE

TO THE HONORABLE REED C. O’CONNOR, UNITED STATES DISTRICT JUDGE:

NOW COMES, Defendant, DALLAS-FORT WORTH DOMICILE, ALLIED PILOTS ASSOCIATION, ("DFW APA") and files this objection (the “Objection”) to the Agreed Motion for Entry of Consent Decree (Doc. 20) (the “Motion”). In support of the Objection, DFW APA would show the Court the following:

1. On December 12, 2014, the Department of Labor filed suit against DFW APA as well as against Defendant, the ALLIED PILOTS ASSOCIATION, NATIONAL HEADQUARTERS (the “APA”) (collectively the “Defendants”) asserting violations of Title IV of the Labor-Management Reporting and Disclosure Act of 1959, 29 U.S.C. §§ 481-484 (the “Act”).

2. Sanford R. Denison was previously counsel for both named Defendants in this cause. The interests of the Defendants have diverged inasmuch as DFW APA is not in agreement with the terms of the settlement reached in the Stipulation of Settlement and has been unable to have its concerns properly addressed.

3. Specifically, Defendant, DFW APA, notified its prior counsel, the President of its co-Defendant, and counsel for the Department of Labor that it did not consent to the Motion. Moreover, Defendant DFW APA was not consulted on the terms of the settlement, never gave consent to the settlement and did not sign the Stipulation of Settlement. The Motion for Entry of Consent Decree is not in any manner agreed by and between all three parties to this matter.

4. Defendants are two separate entities of a dual tier organization. Accordingly, Defendant DFW APA is a separate party with separate interests and has not provided the requisite consent for the Motion to be filed on its behalf or for the terms of the settlement set forth in the Stipulation of Settlement filed in conjunction with the Motion.

WHEREFORE, PREMISES CONSIDERED, Defendant, DFW APA, prays that this Court deny the Motion in its entirety as requested above in this cause, and for such other and further relief, at law or in equity, to which Defendant, DFW APA, may show itself justly entitled.

Respectfully submitted,

SHEILS WINNUBST
A Professional Corporation

By: /s/ Mark D. Winnubst
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PROPOSED ATTORNEYS FOR DEFENDANT,
DALLAS-FORT WORTH DOMICILE,
ALLIED PILOTS ASSOCIATION

Certificate of Conference

I hereby certify that I called counsel for Plaintiff, Brian W. Stoltz, on the 4th of November, 2015, to confer about the relief sought herein. I further certify that I called counsel for Defendant APA, Sanford R. Denison, on the 4th of November, 2015, to confer about the relief sought herein. I was unable to reach either of the counsel, but left detailed messages on their voicemail.

/s/ Mark D. Winnubst
Mark D. Winnubst

Certificate of Service

I hereby certify that a true and correct copy of the above-and-foregoing motion was served on this 4th day of November, 2015, via electronic service, upon counsel for Plaintiff, Brian W. Stoltz, Assistant United States Attorney, 1100 Commerce Street, Third Floor, Dallas, Texas 75242 and upon Sanford R. Denison, Baab & Denison, LLP, 6301 Gaston Avenue, Suite 550, Dallas, Texas 75214.

/s/ Mark D. Winnubst
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